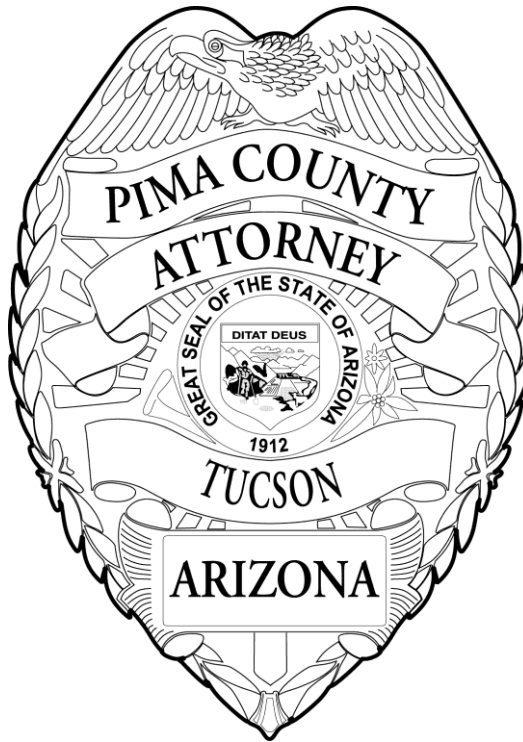


**ANNUAL REPORT ON THE
INVESTIGATION OF CHILD ABUSE
2017 - 2018
PIMA COUNTY, ARIZONA**



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Annual Report on the Investigation of Child Abuse 2017-2018 Pima County, Arizona

According to Statute § 8-817, the Pima County Attorney's Office is responsible for providing an annual report on the investigation of child abuse in the county to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In Pima County the Multi-Disciplinary Team (MDT) for Child Abuse Investigation was created to ensure compliance with the protocol by that name. The protocol was developed in 1992-1994 under the leadership of the Pima County Attorney's Office in response to a perceived community need. In 2003 the Arizona State Legislature passed A.R.S. § 8-817 requiring the development of, and adherence to, a multidisciplinary protocol for the investigation of child abuse.

The Pima County Protocols for the Multi-Disciplinary Investigation of Child Abuse include the monitoring of all investigations of **“allegations involving criminal conduct”** defined by A.R.S. § 8-801 to insure that joint investigations are conducted. Statute (§ 8-801) includes the following statutes in its description of child abuse: inflicting or allowing sexual abuse pursuant to section § 13-1404, sexual conduct with a minor pursuant to § 13-1405, sexual assault pursuant to § 13-1406, molestation of a child pursuant to § 13-1410, continuous sexual abuse of a child pursuant to § 13-1417, child prostitution pursuant to § 13-3212, commercial sexual exploitation of a minor pursuant to § 13-3552, sexual exploitation of a minor pursuant to § 13-3553, certain domestic violence offenses that rise to the level of a felony pursuant to § 13-3601, and physical injury pursuant to § 13-3623.

This report is the compilation of information collected from the municipal, county, and state agencies on the number of cases handled and the frequency of joint investigations conducted in Pima County. The report also notes problems identified with the reporting and collection of data.

Pima County Attorney's Office

Number of Defendants: 766

Number of Charges: 1749

13-1404: 83 defendants

111 charges

13-1405: 114 defendants

268 charges

13-1406: 114 defendants

228 charges

13-1410: 84 defendants

122 charges

13-1417: 18 defendants

19 charges

13-3212: 3 defendants

5 charges

13-3552: 1 defendant

4 charges

13-3553: 33 defendants

252 charges

13-3601: 168 defendants

288 charges

13-3623: 269 defendants

452 charges

Number of cases presented by Agency:

Counter Narcotics Alliance: 3

Department of Public Safety: 8

Homeland Security: 1

Marana Police: 13

Oro Valley Police: 6

Pascua Law Enforcement: 1

Pima College Police: 1

Pima County Sheriff: 208

Sahuarita Police Department: 15

South Tucson Police Dept: 5

Tohono O'odham Police Dept: 1

Tucson Police Department: 496

University of Arizona PD: 7

Unique Defendant Count by Disposition:

Dismissed With Prejudice: 4

Dismissed Without Prejudice: 96

Guilty-Plea: 319

Guilty-Trial: 27

Not Guilty: 0

Reviewed and Refused: 330

All Defendants: 768

All Charges: 1658

Southern Arizona Children's Advocacy Center

Number interviews: 1051

Number children served: 1343

Number of Medical Examinations: 213

Number of jointly investigated cases: on average, 99% of the cases are appropriate for joint investigation. There is no way for the Advocacy Center to capture interviews done in the field. Intakes for interviews are not taken unless, if appropriate, law enforcement is involved and the correct report numbers are given. The number reported just reflects cases that come through the Advocacy Center. Not all investigations are appropriate for joint investigation. Many are out-of-home cases, so DCS is not involved.

Marana Police Department

Marana Police investigated 27 cases involving serious child crimes allegations.

- 9 cases of molestation

- 6 cases of sex with minors

- 5 cases of sex abuse

- 6 cases of physical abuse

- 1 case of sexual exploitation of a minor

Of the 27 cases investigated 9 were investigated jointly with DCS.

12 of the cases were prosecuted

- 2 cases were molestation, 13-1410

- 2 case was sex with a minor, 13-1405

- 2 cases were for child abuse, 13-3623

- 5 cases were for sex abuse, 13-1404

- 1 case was for sexual exploitation of a minor, 13-3553

South Tucson Police Department

31 cases involving Child Crime allegations:

- Molest - 4

- Neglect - 5

- Custodial Interference - 2

- Child Abuse – 20

Most cases are investigated jointly with DCS (formerly CPS). There is no indication in the STPD system to identify the number referred for prosecution.

Oro Valley Police Department

47 Cases involving serious child abuse conduct allegations

25 cases jointly investigated with DCS (formerly CPS)

10 cases referred for prosecution:

6 cases jointly investigated with Children's Advocacy Center

13 cases jointly investigated with/referred to other agencies

The cases referred for prosecution were charged under the follow statutes:

2 cases under § 13-1405 Sexual Misconduct with a minor

2 cases under § 13-1425 Unlawful Disclosure of Images Depicting
States of Nudity

2 cases under § 13-2507 Child/Vulnerable Adult Abuse

3 cases under § 13-3553 Sexual Exploitation of a Minor

2 cases under § 13-3613 Contributing to the Delinquency of a Minor

1 case under § 13-3623A1 Child Abuse

23 Cases Reviewed and Refused

Tucson Police Department Dependent Child Unit

| | <u>Reviewed/Received</u> | <u>Assigned</u> |
|----------------------------------|--------------------------|-----------------|
| Neglect | 102 | 38 |
| Other | 186 | 55 |
| Physical Abuse | 297 | 75 |
| Death/Unknown Causes | 1 | 1 |
| Other Misc Cases/Family Offenses | 233 | 15 |

Child Sexual Assault Unit

| | <u>Reviewed/Received</u> | <u>Assigned</u> |
|---|--------------------------|-----------------|
| Child Molestation: | 6 | 5 |
| Molestation | 6 | 3 |
| Sex Offenses/Child Molesting: | 205 | 108 |
| Sex Offenses/Molesting: | 42 | 18 |
| 0201-Sex Alt/Rape F | 2 | 0 |
| Sexual Assault | 1 | 0 |
| Sexual Assault/Attempted Rape | 12 | 5 |
| Sexual Assault/Forcible Rape | 103 | 56 |
| Sex Offenses/Exposure | 24 | 11 |
| Sex Offenses/Lewd & Lascivious | 22 | 7 |
| Sex Offenses/Obscene Phone Calls | 2 | 1 |
| Sex Offenses/Other (Adultery, Incest, Stat Rape, Etc.) | 68 | 11 |
| Sex Offenses/Peeping Tom | 1 | 0 |

There are more types of cases received and assigned to each unit that are not depicted in this report. All cases assigned through the Child Physical Abuse Unit are jointly investigated with DCS, however, TPD does not document the numbers of Child Sexual Assault Unit cases that are jointly investigated. However, any Child Sexual Assault case that involves a child where the suspect is a guardian or caregiver would be a joint investigation with DCS. Please note the drop from previous years in assigned Physical Abuse cases which is most likely attributed to a new program that allows patrol officers to cite for a felony in the field without the assignment of a detective.

Pima County Sheriff's Office – Crimes Against Children Unit

Child Molestation: 163 reports received

Sex Offenses (Other): 592 reports received

Physical Abuse: 476 reports received

Neglect: 48 reports received

Sex Assault/Rape (Child): 0 Reports Received (these always fall only under Molestation, we have no separate classification for sex assault/rape involving children.)

Sex Offender Registrations: 289

Missing Children: 143 Reports Received

Endangerment: 68 Reports received

Unless a case does not meet the criteria for DCS (formerly CPS) involvement, 90% of PCSO sex abuse/sex offense cases are jointly investigated. On physical abuse cases the PCSO works joint investigations only 45% of the time and DCS conducts their own follow-up.

Sahuarita Police Department

The Sahuarita Police Department Reports the following 26 child abuse cases using the FBI UCR classifications:

(UCR 0403) – Aggravated Assault Domestic Violence – 4

(UCR 0911) – Assault Minor Injury Domestic Violence - 4

(UCR 0912) – Assault No Injury Domestic Violence – 3

(UCR 2001) – Offense Against Family / Physical Abuse – 6

(UCR 2411) – Disorderly Conduct Domestic Violence – 3

(UCR 0911) – Assault Minor Injury Domestic Violence – 1

(UCR 0912) – Assault no Injury Domestic Violence – 1

(UCR 2001) – Offense Against Family / Physical Abuse – 1

(UCR 2002) – Offense Against Family / Neglect - 1

(UCR 2411) – Disorderly Conduct Domestic Violence – 2

Problems Identified With Reporting Child Abuse and Joint Investigations

There is a problem with each agency defining criminal conduct against children differently and then collecting and reporting on different types of data. The Pima County Attorney's Office uses the definition of criminal conduct given in A.R.S. § 8-801:

2. "Extremely serious conduct allegation" means an allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:

(a) A violation of section 13-3623 involving child abuse.

(b) A felony offense that constitutes domestic violence as defined in section 13-3601.

(c) A violation of section 13-1404 or 13-1406 involving a minor.

(d) A violation of section 13-1405, 13-1410 or 13-1417.

(e) Any other act of abuse that is classified as a felony.

Because of item (e) above the Pima County Attorney's Office report includes:

§13-3552 - commercial sexual exploitation of a minor,

§13-3553 - sexual exploitation of a minor,

§13-3212 - child prostitution.

The Pima County Attorney's Office data collection system allows reporting by statute charged. Some Law Enforcement agencies are able to report by the Arizona statute, while others use the Uniform Crime Reporting (UCR) system of the FBI. Adding to the problem is that when searching by statute, A.R.S. § 13-3623 and § 13-3601 include not only acts against children but against adults, thus additional vigilance of the data is needed.

Cases that occur out of the home or do not involve a family member are not within the scope of authority for DCS (formerly CPS) so they are not jointly investigated.